

(1) for which an appropriation for construction is made out of the \$500,000 made available for construction of small public building projects outside the District of Columbia pursuant to the Public Buildings Act of May 25, 1926, as amended, in the third paragraph, or for which an appropriation is made in the fourth, sixth, seventh, and eighth paragraphs, under the heading “GENERAL SERVICES ADMINISTRATION” in title I of the Independent Offices Appropriation Act, 1959,

(2) which is a project referred to in the first proviso of the fifth paragraph under the heading “GENERAL SERVICES ADMINISTRATION” in title I of the Independent Offices Appropriation Act, 1959,

(3) for which an appropriation for direct construction by an executive agency other than the General Services Administration of a specified public building has been made before September 9, 1959,

(4) within the purview of section 1252(c)¹ of title 8 or section 68 of title 19.

(Pub. L. 86-249, § 14, Sept. 9, 1959, 73 Stat. 483.)

REFERENCES IN TEXT

The Public Buildings Act of May 25, 1926, referred to in par. (1), is act May 25, 1926, ch. 380, 44 Stat. 630, as amended, which enacted sections 341, 342, 343 to 345a, 346, and 347 of this title, which were repealed or eliminated by Pub. L. 86-249 which enacted this chapter.

Title I of the Independent Offices Appropriation Act, 1959, referred to in pars. (1) and (2), is title I of Pub. L. 85-844, Aug. 28, 1958, 72 Stat. 1063. The fourth through eighth paragraphs under the heading “General Services Administration”, which appear at 72 Stat. 1067, are not classified to the Code, except for the first proviso of the fifth paragraph which is set out as a note under section 356 of this title.

Section 1252 of title 8, referred to in par. (4), was amended generally by Pub. L. 104-208, div. C, title III, § 306(a)(2), Sept. 30, 1996, 110 Stat. 3009-607, and, as so amended, subsec. (c) relates to requirements for petitions for review or for habeas corpus and not to public buildings. Provisions similar to those contained in former section 1252(c) are now contained in section 1231(g) of Title 8, Aliens and Nationality.

§ 614. Delegation of authority

The performance, in accordance with standards established by the Administrator of General Services, of the responsibilities and authorities vested in him under this chapter shall, except for the authority contained in section 603 of this title, upon request, be delegated to the appropriate executive agency where the estimated cost of the project does not exceed \$100,000, and may be delegated to the appropriate executive agency where the Administrator determines that such delegation will promote efficiency and economy. No delegation of responsibility or authority made under this section shall exempt the person to whom such delegation is made, or the exercise of such responsibility or authority, from any other provision of this chapter.

(Pub. L. 86-249, § 15, Sept. 9, 1959, 73 Stat. 483.)

§ 615. Leasing of buildings by and for General Services Administration; authority of Postal Service

Nothing in this chapter shall be construed to limit or repeal—

(1) existing authorizations for the leasing of buildings by and for the General Services Administration; or

(2) the authority conferred by law on the United States Postal Service.

(Pub. L. 86-249, § 16, Sept. 9, 1959, 73 Stat. 483; Pub. L. 91-375, § 6(m)(3), Aug. 12, 1970, 84 Stat. 782.)

AMENDMENTS

1970—Pub. L. 91-375 struck out “contained” after “Nothing” and “use of the” and “or the Post Office Department” before and after “General Services Administration” in cl. (1), and substituted in cl. (1) “; or” for “; or” and as cl. (2) “the authority conferred by law on the United States Postal Service” for “the authorization for the improvement of public buildings contained in title III of the Act entitled ‘An Act to establish a postal policy, to adjust postal rates, to adjust the compensation of postal employees, and for other purposes’, approved May 27, 1958 (72 Stat. 134).”

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by the Board of Governors of the United States Postal Service and published by it in the Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

§ 616. Dwight D. Eisenhower Memorial Bicentennial Civic Center

(a) Development, construction, operation, and maintenance of facilities for conventions, exhibitions, meetings, and other social, cultural, and business activities; location

In order to provide for the District of Columbia facilities for the holding of conventions, exhibitions, meetings, and other social, cultural, and business activities, the Mayor of the District of Columbia (hereinafter, “Mayor”) is authorized to provide for the development, construction, operation, and maintenance of the civic center to be designated as the Dwight D. Eisenhower Memorial Bicentennial Civic Center on a site in the Northwest section of the District of Columbia within an area bounded by Eighth Street, H Street, Tenth Street, New York Avenue, and K Street.

(b) Plan, design, and costs of civic center; administrative approval and review; filing plats showing opening, extension, widening, or closing of streets, roads, highways, and alleys

(1) Such civic center shall be in accordance with a plan, indicating the design and estimated costs, approved by the Mayor and the Council of the District of Columbia, and approved by the National Capital Planning Commission pursuant to section 71d of this title and section 16 of the Act approved June 20, 1938 [D.C. Code, § 5-432], and reviewed by the Commissioner of Fine Arts to the extent required by section 1 of the Act approved May 16, 1930 [D.C. Code, § 5-410].

(2) Notwithstanding the provisions of section 12 of the District of Columbia Redevelopment Act of 1945, as amended [D.C. Code, § 5-811], the urban renewal plan, approved pursuant to section 6(b)(2) of such Act [D.C. Code, § 5-805(b)(2)], for an urban renewal area in which the civic center is located shall be deemed to be modified by the plan approved pursuant to this subsection

¹ See References in Text note below.

and the National Capital Planning Commission shall certify such urban renewal plan, as modified, to the District of Columbia Redevelopment Land Agency.

(3) In the development of the civic center in accordance with the plan approved pursuant to this subsection, the Mayor, notwithstanding any other provision of law, may open, extend, widen, or close any street, road, highway, or alley, or part thereof, by the filing of a plat or plats in the Office of the Surveyor of the District of Columbia showing such opening, extension, widening, or closing.

(c) Land acquisition

The Mayor shall acquire by purchase, gift, condemnation, or otherwise, all real property necessary to provide for the civic center.

(d) Contract authority; leases: term, nominal rental; purchase contracts: payment term, vesting of title in the District of Columbia, application of installment payments to purchase price, provisions securing performance of obligations, amortization, interest rate, reimbursement of contractors for certain costs, and Congressional committee approval of design, plans, and specifications

(1) The Mayor is authorized to enter into purchase contracts, including negotiated contracts, for the financing, design, construction, and maintenance of the civic center. The Mayor is further authorized to lease the site described in subsection (a) of this section at a nominal rental for a period of not more than thirty-five years. The payment term of said purchase contracts shall not be more than thirty years from the date of acceptance of the civic center and such purchase contracts shall provide that title to the civic center shall vest in the District of Columbia at or before the expiration of the contract term and upon fulfillment of the terms and conditions stipulated in the purchase contracts. Such terms and conditions shall include provision for the application to the purchase price agreed upon therein of installment payments made thereunder.

(2) Such purchase contracts shall include such provisions as the Mayor, in his discretion, shall deem to be in the best interest of the District of Columbia and appropriate to secure the performance of the obligations imposed upon the party or parties that shall enter into such agreement with the Mayor. The purchase contracts shall provide for payments to be made to—

(A) amortize the cost of site acquisition, including relocation payments required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [42 U.S.C. 4601 et seq.], and such other moneys as may be advanced by the contractors to the District of Columbia;

(B) amortize the cost of construction of improvements to be constructed;

(C) provide a reasonable rate of interest on the outstanding principal as determined under subparagraphs (A) and (B) above; and

(D) reimburse the contractors for the cost of any other obligations required of them under the contract, including (but not limited to) payment of taxes, costs of carrying appropriate insurance, and costs of repair and maintenance if so required of the contractors.

(3) For the purpose of the purchase contracts provided by this subsection for the erection of the civic center, the Mayor is authorized to enter into agreements with any person, copartnership, corporation, or other public or private entity to effectuate any of the purposes of this subsection.

(4) No purchase contract for the construction of such civic center shall be entered into, pursuant to the authority of this section, until thirty legislative days following submittal to and approval by the Senate and House Committees for the District of Columbia, and the Senate and House Committees on Appropriations, of the design, plans, and specifications, including detailed cost estimates, of such civic center.

(e) Full faith and credit of the District of Columbia

The full faith and credit of the Government of the District of Columbia is hereby committed to guarantee, upon such terms and conditions as may be prescribed by the Mayor, the fulfillment of all obligations imposed by the provision of this section.

(f) Gifts, services, securities, and other property: acceptance and administration; operation of civic center: District of Columbia or other entity; contractual operation: terms and conditions, employment of Federal, District of Columbia, and voluntary personnel

(1) The Mayor is authorized to accept and administer gifts, personal services, securities, or other property of whatever character to aid in carrying out the purposes of this section.

(2) The Mayor is further authorized to provide for the operation of any or all aspects of the civic center by any department or agency of the Government of the District of Columbia, or may provide for the performance of such operations, including the use or rental of the civic center or its equipment, motor vehicle parking facilities, concessions, and other activities, by contract entered into with any person, copartnership, corporation, or other public or private entity, upon such terms and conditions as may be stipulated in the agreements, and for such purposes may utilize or employ the services of personnel of any agency or instrumentality of the United States or the District of Columbia, with the consent of such agency or instrumentality, upon a reimbursable or nonreimbursable basis, and may utilize voluntary or uncompensated personnel.

(Pub. L. 86-249, § 18, as added Pub. L. 92-520, § 3, Oct. 21, 1972, 86 Stat. 1019; amended Pub. L. 93-198, title IV, §§ 401, 421, Dec. 24, 1973, 87 Stat. 785, 789.)

REFERENCES IN TEXT

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, referred to in subsec. (d)(2)(A), is Pub. L. 91-646, Jan. 2, 1971, 84 Stat. 1894, as amended, which is classified principally to chapter 61 (§ 4601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4601 of Title 42 and Tables.

EFFECTIVE DATE

Section 41(a) of Pub. L. 92-520 provided that this section and provisions set out as notes under this section are effective Oct. 21, 1972.

TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of District of Columbia Code. Accordingly, “Mayor” substituted in text for “commissioner”.

“Council of the District of Columbia” substituted in text for “District of Columbia Council” pursuant to section 401 of Pub. L. 93-198. District of Columbia Council, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, classified to section 1-211 of the District of Columbia Code, and replaced by Council of District of Columbia, as provided by section 401 of Pub. L. 93-198, classified to section 1-221 of the District of Columbia Code.

For transfer of powers, duties, and functions of District of Columbia Land Redevelopment Agency, as set forth in sections 5-801 to 5-840 of the District of Columbia Code, to Director of Department of Housing and Community Development, with certain exceptions, see part 4 of Reorg. Plan No. 3 of 1975, eff. July 3, 1975, 21 DCR 2793, set out in the Appendix to Title I of the District of Columbia Code, Administration.

ABOLITION OF COMMITTEES ON THE DISTRICT OF COLUMBIA

Committee on the District of Columbia of Senate abolished and its jurisdiction given to Committee on Governmental Affairs of Senate, effective Feb. 11, 1977. See Rules XXV of Standing Rules of Senate, as amended by Senate Resolution 4 (popularly cited as the “Committee System Reorganization Amendments of 1977”), approved Feb. 4, 1977.

Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

CONGRESSIONAL FINDINGS AND DECLARATION

Section 2 of Pub. L. 92-520 provided that: “The Congress hereby finds and declares that—

“(1) it is essential to the social and economic development of the District of Columbia to establish major centers of commercial and economic activity within the city;

“(2) such a center of activity would result from the development of a civic center located in the downtown area of the District of Columbia;

“(3) a civic center would (A) attract large numbers of visitors to the downtown area and result in increased business activity in the area surrounding the center; (B) enable national organizations to hold their conventions and other meetings in the District of Columbia and thereby encourage citizens from the entire Nation to visit their Capital City; (C) provide a new source of revenue for the District of Columbia as a consequence of its operations and the expanded commercial activities resulting therefrom; and (D) provide expanded employment opportunities for residents of the District of Columbia;

“(4) it is fitting that said civic center be established as a memorial to the late President, Dwight D. Eisenhower;

“(5) the prompt provision of major convention facilities in the District of Columbia will significantly contribute to the commemoration of the Nation’s bicentennial year; and

“(6) the powers conferred by this Act [Pub. L. 92-520] are for public uses and purposes for which public powers may be employed, public funds may be expended, and the power of eminent domain and the police power may be exercised, and the granting of such powers is necessary in the public interest.”

§ 617. State administration of criminal and health and safety laws

Notwithstanding any other provision of law, the Administrator may, whenever the Administrator considers it desirable, assign to a State, or to a commonwealth, territory, or possession of the United States, all or part of the authority of the United States to administer criminal laws and health and safety laws with respect to lands or interests in lands under the control of the Administrator located in such State, commonwealth, territory, or possession. Assignment of authority under this section may be accomplished by filing with the chief executive officer of such State, commonwealth, territory, or possession a notice of assignment to take effect upon acceptance thereof, or in such other manner as may be prescribed by the laws of the State, commonwealth, territory, or possession in which such lands or interests in lands are located.

(Pub. L. 86-249, § 19, as added Pub. L. 100-678, § 5, Nov. 17, 1988, 102 Stat. 4050.)

§ 618. Special rules for leased buildings**(a) Specifications**

Notwithstanding the provisions of section 490(h)(1) of this title, the Administrator shall not make any agreement or undertake any commitment which will result in the construction of any building which is to be constructed for lease to, and for predominant use by, the United States until the Administrator has established detailed specification requirements for such building.

(b) Competitive procedures

The Administrator may acquire a leasehold interest in any building which is constructed for lease to, and for predominant use by, the United States only by the use of competitive procedures required by section 253 of title 41.

(c) Inspections

The Administrator shall inspect every building to be constructed for lease to, and for predominant use by, the United States during the construction of such building in order to determine that the specifications established for such building are complied with.

(d) Enforcement**(1) Post-construction evaluation**

Upon completion of a building constructed for lease to, and for predominant use by, the United States, the Administrator shall evaluate such building for the purpose of determining the extent, if any, of failure to comply with the specifications referred to in subsection (a) of this section.

(2) Contract clause

The Administrator shall ensure that any contract entered into for a building described in paragraph (1) shall contain provisions permitting a reduction of rent during any period when such building is not in compliance with such specifications.

(Pub. L. 86-249, § 20, as added Pub. L. 100-678, § 5, Nov. 17, 1988, 102 Stat. 4050.)